

UNITED STATES DISTRICT COURT
for the

Southern District of Georgia
Waycross Division

FEB 26 2008
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United States of America

v.

Freddie Battle

Date of Previous Judgment: August 27, 1997

(Use Date of Last Amended Judgment if Applicable)

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)
Case No: CR597-00001-001
USM No: 09399-021
Lloyd E. Thompson, Jr.
Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of the defendant the Director of the Bureau of Prisons the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

DENIED. GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months is reduced to _____.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level:	<u>42</u>	Amended Offense Level:	<u>42</u>
Criminal History Category:	<u>II</u>	Criminal History Category:	<u>II</u>
Previous Guideline Range:	<u>360 months to Life</u>	Amended Guideline Range:	<u>360 months to Life</u>

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- The reduced sentence is within the amended guideline range.
- The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- Other (explain): _____

III. ADDITIONAL COMMENTS

Defendant is not eligible for a reductions because he was attributed with more than 4.5 kilograms of cocaine base.

Except as provided above, all provisions of the judgment dated August 27, 1997 shall remain in effect.

IT IS SO ORDERED.

Order Date: August 20, 2008

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Judge's signature

Effective Date: _____
(if different from order date)

William T. Moore, Jr.
Chief Judge, U. S. District Court
Printed name and title